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FAX TRANSMISSION**DATE:** May 25, 2005**PTO IDENTIFIER:** Application Number 09/852070-Conf. #3533
Patent Number**Inventor:** Daniel K. HILTGEN et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** LAHIVE & COCKFIELD, LLP

Kevin J. Canning

PHONE: (617) 227-7400**Attorney Dkt. #:** SMQ-122/P6281**PAGES (Including Cover Sheet):** 19**CONTENTS:** Amendment (15 pages)
Amendment Transmittal plus duplicate (2 pages)
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LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

PTO/SB/87 (09-04)

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Application No. (if known): 09/852070

Attorney Docket No.: SMQ-122

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on May 25, 2005
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35,470

Registration Number, if applicable

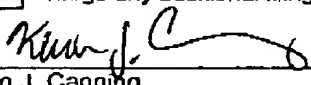
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Amendment (15 pages)

Amendment Transmittal plus duplicate (2 pages)

| AMENDMENT TRANSMITTAL LETTER | | | | Docket No SMQ-122/P6281 | |
|--|---|---|-----------------------------------|----------------------------|------|
| Application No. 09/852070-Conf #3533 | | Filing Date May 9, 2001 | | Examiner M. J. Yigdall | |
| Art Unit 2192 | | | | | |
| Applicant(s): Daniel K. HILTGEN <i>et al.</i> | | | | | |
| Invention: METHOD, SYSTEM, AND PROGRAM FOR PROVIDING PATCH EXPRESSIONS USED IN DETERMINING WHETHER TO INSTALL A PATCH | | | | | |
| TO THE COMMISSIONER FOR PATENTS | | | | | |
| Transmitted herewith is an amendment in the above-identified application. | | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 32 | - 32 = | | x | |
| Independent Claims | 4 | - 4 = | | x | |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |
| <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity | | | | | |
| <input checked="" type="checkbox"/> No additional fee is required for this amendment. | | | | | |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. | | | | | |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. | | | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-0080</u> as described below. A duplicate copy of this sheet is enclosed. | | | | | |
| <input checked="" type="checkbox"/> Credit any overpayment. | | | | | |
| <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. | | | | | |
|  Kevin J. Canning Attorney Reg. No. 35,470 | | | | Dated: <u>May 25, 2005</u> | |
| LAHIVE & COCKFIELD, LLP 28 State Street Boston, Massachusetts 02109 (617) 227-7400 | | | | | |
| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306 at MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below. Dated <u>May 25, 2005</u> Signature <u>Kevin J. Canning</u> (Kevin J. Canning) | | | | | |

COPY

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|--|----------------------------|--------------------------|-----------------------------|--|
| AMENDMENT TRANSMITTAL LETTER | | | Docket No. SMQ-122/P6281 | |
| Application No. 09/852070-Conf. #3533 | Filing Date May 9, 2001 | Examiner M. J. Yigdal | Art Unit 2192 | |

Applicant(s): Daniel K. HILTGEN et al.

Invention: METHOD, SYSTEM, AND PROGRAM FOR PROVIDING PATCH EXPRESSIONS USED IN DETERMINING WHETHER TO INSTALL A PATCH

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.
The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED | | | | | |
|--|---|---|-----------------------------------|------|------|
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 32 | - 32 = | | x | |
| Independent Claims | 4 | - 4 = | | x | |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |

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☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-0080
as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment;

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Dated: May 25, 2005

Kevin J. Canning
Attorney Reg. No : 35,470

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02105
(617) 227-7400

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Dated, May 25, 2005

Signature


(Kevin J. Canning)

Docket No.: SMQ-122/P6281
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Daniel K. Hiltgen *et al.*

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Application No.: 09/852070

Confirmation No.: 3533

Filed: May 9, 2001

Art Unit: 2192

For: METHOD, SYSTEM, AND PROGRAM FOR
PROVIDING PATCH EXPRESSIONS USED
IN DETERMINING WHETHER TO INSTALL
A PATCH

Examiner: M. J. Yigdal

AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated March 25, 2005, finally rejecting claims 1-32, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 12 of this paper.